

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Adopting a Specific Plan For)
An Area Generally Bounded On)
the South by the Santa Fe Rail-)
road, On the North by the)
Sacramento River, On the East)
By Harbor Street and on the)
West By the City Boundary)

ORDINANCE NO. 86-896

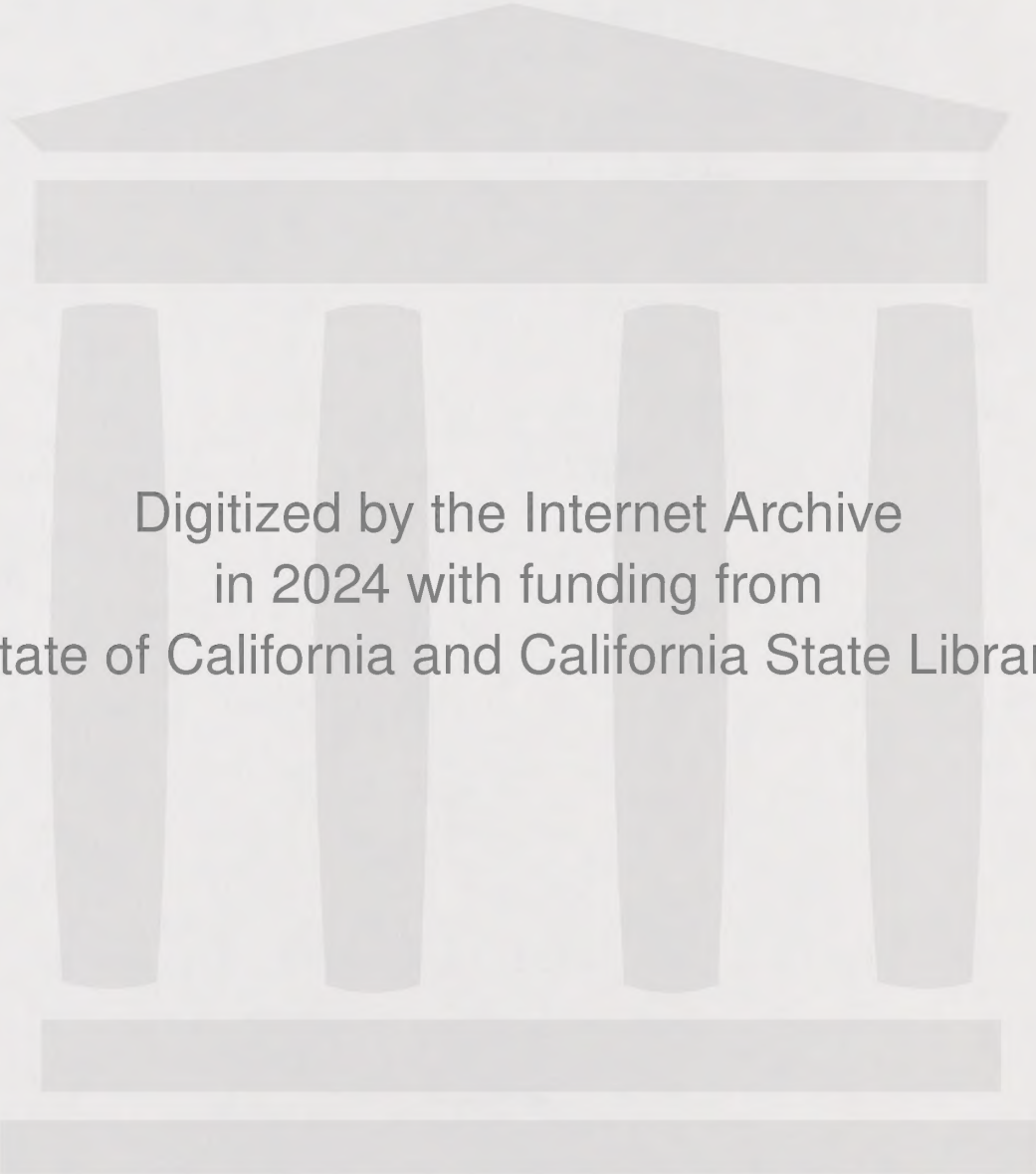
The City Council of the City of Pittsburg DOES ORDAIN as follows:

SECTION 1. The Specific Plan entitled the "Downtown Specific Plan", which is attached to this Ordinance as Exhibit "A" is adopted as the Specific Plan for the area described in Exhibit A.

SECTION 2. A violation of a provision of the Specific Plan is an infraction. Under Government Code section 36900 a violation determined to be an infraction is punishable by (1) a fine not exceeding \$100.00 for a first violation; (2) a fine not exceeding \$200.00 for a second violation occurring within one year of the first violation; (3) a fine not exceeding \$500.00 for each additional violation occurring within one year of the first violation. Each day that a violation of this ordinance is committed or continues is a separate offense and is punishable as a distinct and separate offense.

SECTION 3. Publication. The City Clerk shall either (1) have this ordinance published once within fifteen days after adoption in a newspaper of general circulation or (2) have a summary of this ordinance published twice in a newspaper of general circulation, once five days before its adoption and again within fifteen days after adoption.

SECTION 4. Effective Date. This ordinance becomes effective 30 days after its adoption.



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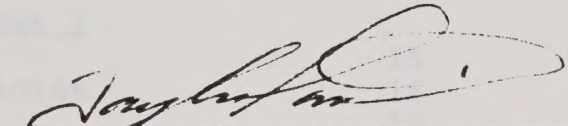
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The foregoing ordinance was introduced at a meeting of the City Council of the City of Pittsburgh at a meeting held on April 7, 1986, and was adopted and ordered published at a meeting held on April 21, 1986, by the following vote:

AYES: Councilmembers Currie, Erickson, Lettman, Parent & Mayor Davis

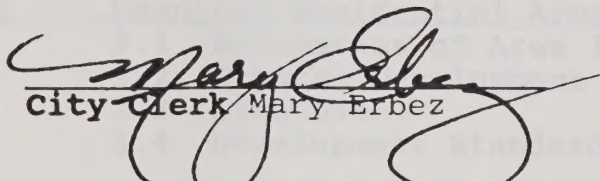
NOES: None

ABSENT: None



Mayor Taylor Davis

ATTEST:



City Clerk Mary Erbez

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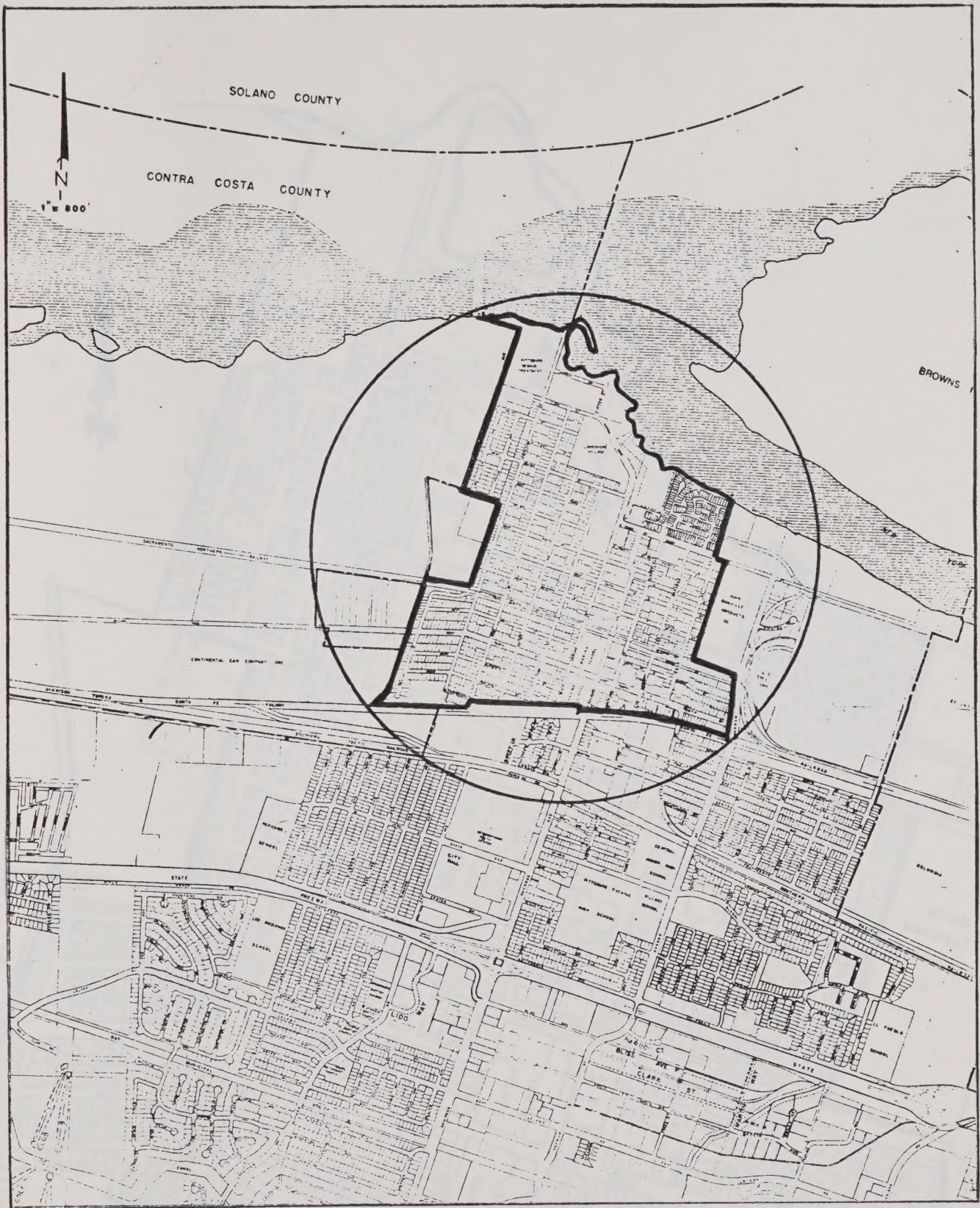
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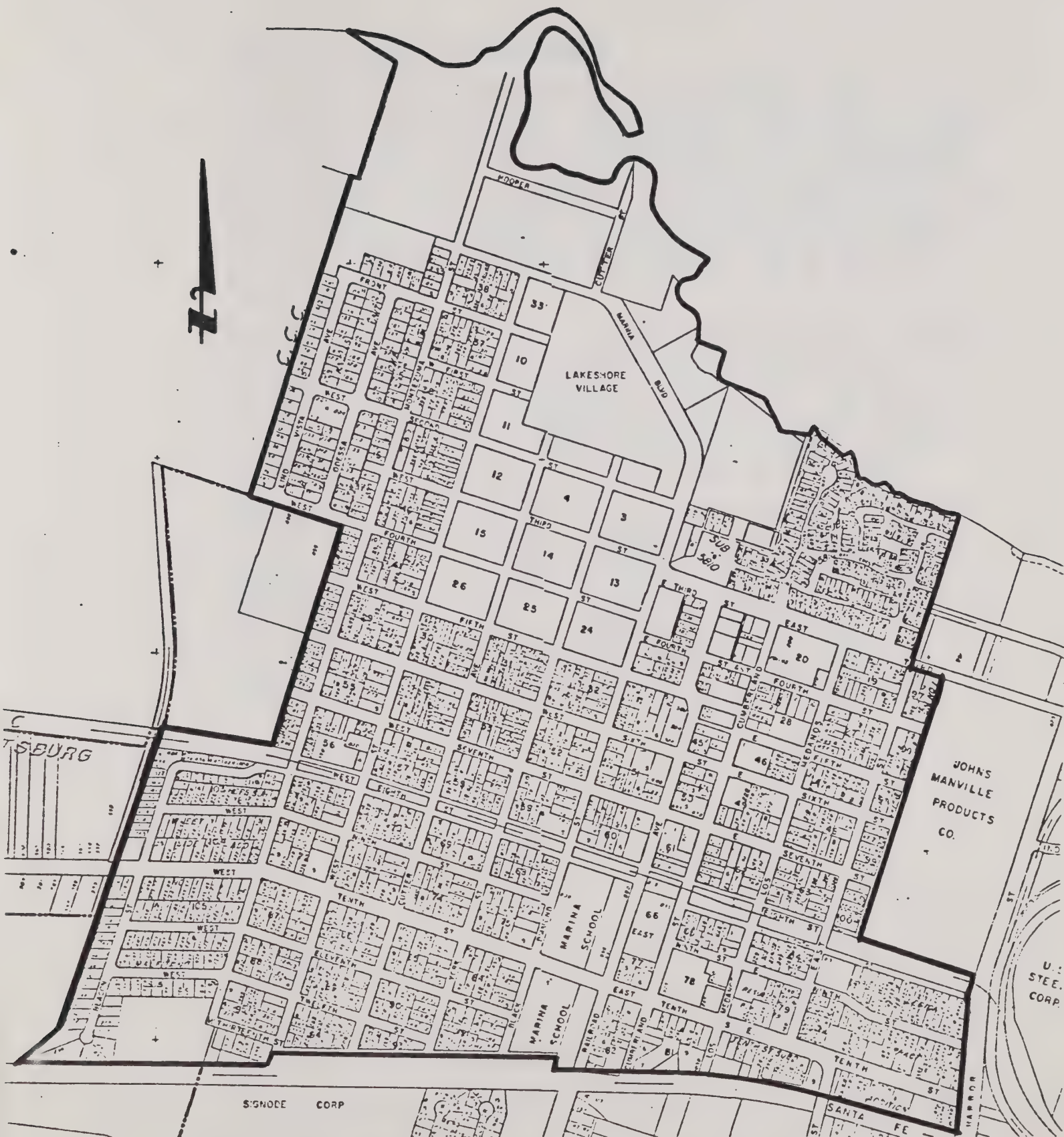
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DOWNTOWN
SPECIFIC PLAN
LOCATION MAP



DOWNTOWN SPECIFIC PLAN

LOCATION MAP



DOWNTOWN SPECIFIC PLAN **BOUNDARY MAP**

1.0 SITE LOCATION AND DESCRIPTION

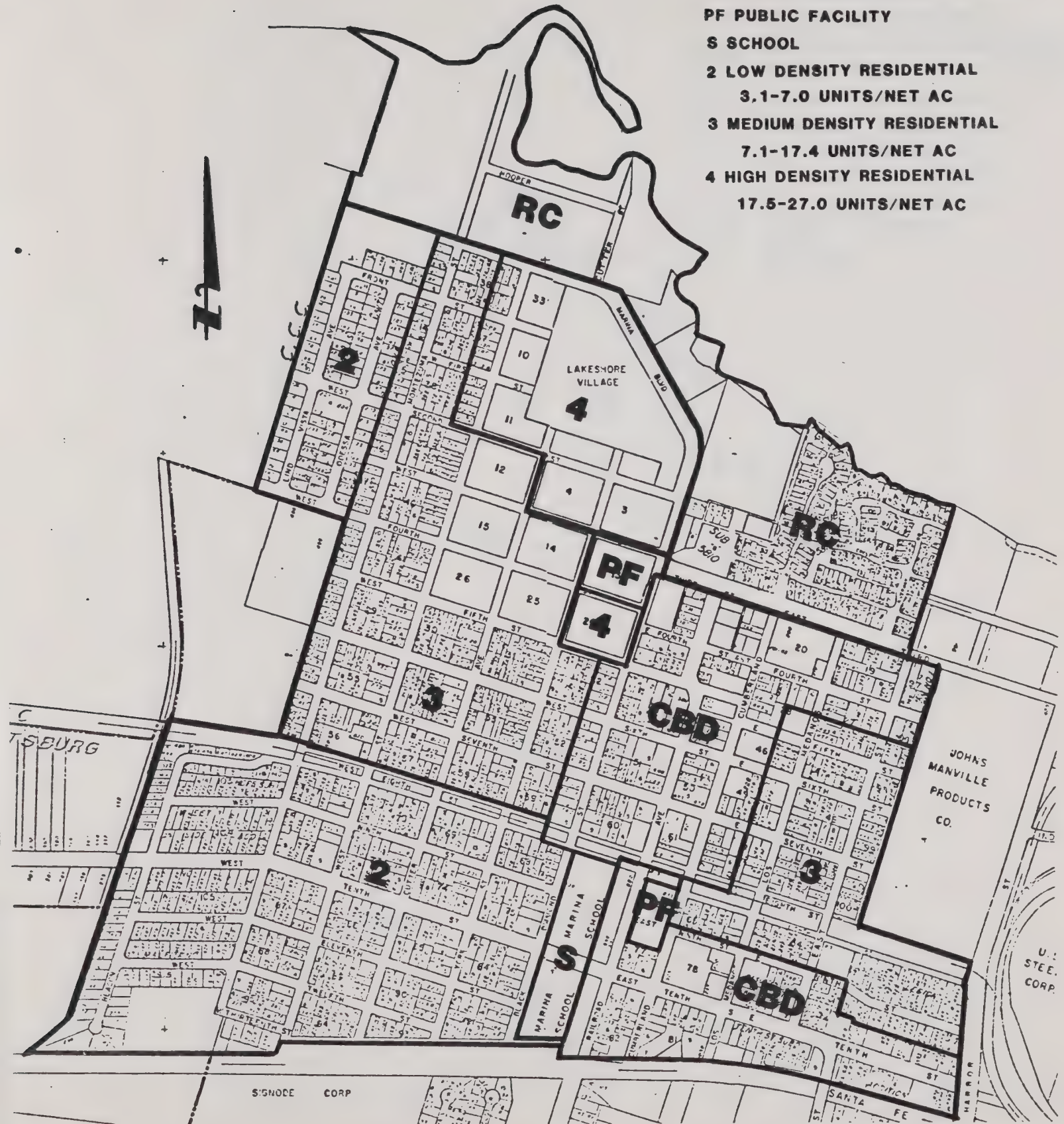
The downtown area addressed in this Specific Plan encompasses approximately 361 acres of land north of the Santa Fe Railroad tracks. The Specific Plan area includes the land within the Historical District and surrounding Design Review Area, the commercial area on either side of East 10th Street from Railroad Avenue to Harbor Street and residential area north of the Santa Fe Railroad tracks from the west and the east City boundaries to New York Slough excluding industrial properties and St. Peter Martyr School.

The downtown area is in a state of transition as a result of redevelopment efforts, the establishment of a historical district, increased property owner transfers and new land uses establishing in the area. The area includes an intermix of uses such as commercial, marina and harbor facilities, attached medium to high density residential uses as well as single family residences.

The General Plan land use designations for this area are Central Business District, Recreation Commercial, Public Facility and Low, Medium and High Density Residential (Plate 3). The zoning districts for this area include R-2 (Duplex Residential), R-3 (Multiple Family Residential), R-4 (Residential, Semi-Commercial), PR (Planned Residential), C-2 (Central Commercial), C-3 (Heavy Commercial), PC (Planned Commercial) P-C (Planned Community), M-P (Manufacturing and Parking) (Plate 4).

LEGEND

- RC RECREATION COMMERCIAL
- CBD CENTRAL BUSINESS DISTRICT
- PF PUBLIC FACILITY
- S SCHOOL
- 2 LOW DENSITY RESIDENTIAL
3.1-7.0 UNITS/NET AC
- 3 MEDIUM DENSITY RESIDENTIAL
7.1-17.4 UNITS/NET AC
- 4 HIGH DENSITY RESIDENTIAL
17.5-27.0 UNITS/NET AC



DOWNTOWN SPECIFIC PLAN GENERAL PLAN LAND USE DESIGNATION

LEGEND

- R-2 DUPLEX RESIDENTIAL
- R-3 MULTIPLE FAMILY RESIDENTIAL
- R-4 RESIDENTIAL SEMI-COMMERCIAL
- PR PLANNED RESIDENTIAL
- C-2 CENTRAL COMMERCIAL
- C-3 HEAVY COMMERCIAL
- PC PLANNED COMMERCIAL
- P-C PLANNED COMMUNITY
- M-P MANUFACTURING
- P PARKING



DOWNTOWN SPECIFIC PLAN

EXISTING ZONING

1.1 SCOPE AND INTENT OF THE PLAN

The authority for specific plans is contained in 65450, Et. Seq., of the California Government Code; "The Planning Agency may, or if so directed by the legislative body shall, prepare specific plans based on the General Plan and drafts of such regulations, programs and legislation as may, in its judgement be required for the systematic execution of the General Plan and the planning agency may recommend such plans and measures to the legislative body for adoption."

The plan shall include all detailed regulations, conditions, programs and proposed legislation which shall be necessary or convenient for the systematic implementation of the General Plan, including location and regulation of buildings and land uses, location and standards for transportation facilities, density, water supply, waste disposal, conservation and development of natural resources and open space.

The City Council may determine and establish administrative rules and procedures for the application and enforcement of specific plans and regulations and may assign or delegate such administrative functions, powers and duties to the planning or other agency as may be desirable. The legislative body may establish fees to be changed in order to provide the funds necessary to implement the plan.

The Specific Plan grew out of the recognition of the need for development policies and zoning regulations to guide growth in the downtown area in a manner consistent with the goals and policies of the General Plan. Proper development of the downtown requires confronting such issues as poor access and circulation, inadequate roads and utilities, and physically and economically obsolete structures requiring solutions beyond conventional zoning.

The Pittsburg City Council initiated the Specific Plan process by forming a Specific Plan Committee on May 7, 1984 to develop a plan for the downtown area to ensure that development in the area would be orderly and of a scope and scale appropriate to its unique character.

It was apparent that more specific land use and design review controls were necessary to upgrade the area and help achieve the goals of downtown revitalization. The major concerns to be addressed by the Specific Plan included:

- That new residential rehabilitation upgrades the area in the long term.
- The lack of development controls in the C-2 (Central Commercial) zoning district.
- The status of off street parking facilities for Central Business uses.
- The lack of off street parking provided on existing multiple family residential lots and the commensurate street congestion combined with narrow streets.
- The land use pattern developing along E. 10th Street with outside storage, etc.
- The establishment of businesses that detract from the upgrading of the area.
- The proliferation of alcoholic beverage sales in the downtown area.
- The aesthetics of business signage.
- The abandonment of signs and deterioration of unoccupied buildings in the downtown area.
- The upkeep of the general downtown area and lack of control over aesthetics of existing buildings.
- The new construction on substandard lots.

1.2 RELATIONSHIP OF THE SPECIFIC PLAN TO THE GENERAL PLAN -

Because specific plans are vehicles for implementing the policies and goals described in the General Plan, the Specific Plan must be consistent with the General Plan (65454). Pittsburg's General Plan was adopted on November 3, 1980. It sets forth a broad policy framework for development through the City's planning area. The General Plan goals and policies which provide the foundation for the Specific Plan and its implementation are as follows:

Goal: Promote the creation of a balanced community and ensure that development will occur in a planned and orderly manner (General Plan, Page 8).

Goal: Create a pleasant living environment offering Pittsburgh's residents a freedom of choice with respect to location, housing types and housing cost (General Plan, Page 19)

Goal: Preserve existing commercial and industrial uses and business activity (General Plan, Page 26).

Goal: Encourage a favorable climate for new commerce and industry by establishing areas where their performance can be maximized for private and public advantage (General Plan, Page 26).

Goal: Enhance the environment of home and community by the improvement of the community's social as well as physical environment (General Plan, Page 32).

Goal: adequate and varied public facilities and programs to meet both current and future demand for public services (General Plan, Page 32).

Policies on Community Design and Appearance

01. Streets will be lined with trees, landscaping and/or architectural features so they become enjoyable and beautiful spaces rather than merely corridors of traffic. (General Plan Page 9).
02. Signs and billboards will be regulated in order to minimize their impact on the visual environment. (General Plan Page 10).
03. The City will identify locations of architectural or historical significance and establish plans for their protection, enhancement and future use. (General Plan Page 10).

Implementation Policies

A. Revise the existing City zoning ordinance and rezoning policy to implement the provisions of the revised General Plan. (General Plan Page 10).

B. Review sign regulations and landscaping requirements; upgrade City ordinances as required; and develop an effective enforcement program. (General Plan, Page 11).

C. Establish a cultural resources ordinance to implement City policy for architectural and historic preservation. (General Plan Page 11).

D. Maintain design review of all new development prior to the issuance of a development plan. (General Plan Page 11).

Policies on the Provision of Housing Selection by Location Type, Price and Tenure

04. The City's policy will reflect the necessity of maintaining an adequate stock of rental as well as owner occupied units within the community. (General Plan Page 21).

Policies on the Development of a Balanced Residential Environment with Access to Employment Opportunities, Community Facilities and Adequate Services

05. Housing will have ready access to neighborhood commercial facilities and the community circulation system. Higher density housing will be encouraged around community commercial facilities to achieve optimal use of land. (General Plan Page 21).

06. Housing will exist in a healthy environment, free of through traffic. (General Plan Page 21).

07. Houses or neighborhoods of historical significance will be preserved and protected. (General Plan Page 21).

Policies on the Implementation of an Effective Housing Program

08. Rehabilitation of older houses and buildings as well as new residential construction in older areas will be designed to achieve a high degree of aesthetic quality and will be compatible architecturally with surrounding neighborhoods. (General Plan Page 22).

Implementation Policies

E. Prohibit the use of zoning in ways which exclude persons on the basis of economic, ethnic or age characteristics. Instead, use zoning to encourage variety and mix in housing types and to provide

adequate sites for housing persons of differing lifestyles and income levels. Manufactured housing, condominiums, townhouses, stock cooperatives and other mechanisms can be promoted to achieve this variety of housing type. (General Plan Pages 24 & 25).

F. Maintain a balance of housing types by encouraging the retention and maintenance of the existing rental housing stock. (General Plan Page 25).

Policies for Economic Development Applicable to the
Downtown Commercial and Industrial Sectors

09. The City will encourage similar and compatible types of commercial businesses to cluster together in appropriate locations. (General Plan Page 26).
10. Further extension of existing strip commercial development and general commercial uses along major streets will not be permitted and efforts will be made to convert declining areas of strip commercial development to multi-family housing and other appropriate uses. (General Plan Page 27).
11. The City will continue to strive for the improvement and redevelopment of the older downtown area with new specialty shops, major stores and supporting commercial uses. (General Plan Page 27).
12. The downtown will be physically oriented to encourage pedestrian movement to reduce circulation conflicts between automobiles, pedestrians and bicyclists. Off street parking facilities will be provided close to downtown retail facilities. (General Plan Page 27).

Implementation Policies

G. Amend the existing zoning ordinance and map to reflect the new commercial use designations indicated in the adopted General Plan. Create zoning districts and formulate development standards which clearly define the visual character, operations and types of permitted uses for each commercial category. (General Plan Page 31).

H. Continue to improve the commercial viability of the downtown and waterfront areas. Due to the large amount of competing shopping center development anticipated in southern portions of the Planning Area, adopt a long term time frame in planning for the continued improvement of the downtown area since a minimum base population will be needed to support a viable central business district with appropriate specialty stores and services. (General Plan Page 31).

Policies on Transportation/Circulation

13. The City will develop a balanced transportation system including adequate provisions for public transit, pedestrians and bicycles as well as necessary facilities for the efficient circulation of vehicular traffic. (General Plan Page 35).
14. The City will ensure that Pittsburg's existing and proposed streets and highways network will serve the proper function. (General Plan Page 35).

Implementation Policies

I. Provide for adequate public access to the shoreline in the development proposals for the northern waterfront. (General Plan Page 38).

J. Plan for the phased implementation of improvements to the vehicular circulation system using a combination of Federal Aid Urban Funds, assessment district funds, development fees and other local resources as available. (General Plan Page 39).

K. Actively pursue available mechanisms for funding needed urban facilities and services including:

- HUD Community Development Block Grant Program,
 - Tax increment financing as proposed by the Los Medanos Community Development Plan,
 - Assessment district,
 - User fees based on ability to pay.
- (General Plan Page 40).

In summary, there is sufficient policy in the General Plan in which to design a Specific Plan to meet the needs of the existing residents of the downtown area as well as provide for the developing and redeveloping of areas.

1.3 SPECIFIC PLAN GOALS AND OBJECTIVES

The foregoing section establishes that there is a sufficient policy framework set forth in the General Plan to design a Specific Plan to meet the needs of the downtown area. The goals of the Specific Plan should be considered synonomous with those articulated in the General Plan. Specific objectives for the downtown area include:

- To recognize the existing pattern of development and encourage its revitalization.
- To encourage and enhance neighborhood residential development.
- To provide a sensitivity for the aesthetic quality of new construction and rehabilitation.
- To encourage preservation and use of existing commercial buildings.
- To enhance the amenities that the waterfront provides.
- To encourage a vehicular circulation pattern in existing and developing areas that minimizes the adverse impact on the more stable neighborhoods.
- To encourage investments from both internal and external sources.
- To assist the private sector in achieving a viable, thriving downtown Pittsburgh.
- To integrate and render consistent all plans and ordinances in the downtown area, including the General Plan, Zoning Ordinance and Historical Resources Ordinances.
- To insure that the establishment of certain personal service establishments in the downtown area will not concentrate in such numbers, that the accumulative effect of these businesses would be to blight or downgrade the downtown business area and surrounding residential neighborhoods.

1.4 PLAN AREA BOUNDARIES

The plan area has been divided into four (4) separate geographical areas (Plate 5), each area has a different set of development standards within the larger plan.

Area I: Encompasses the downtown commercial area including properties within the Historical District and Design Review Area and the commercial properties on either side of E. 10th Street.

Area II: Encompasses the residential areas bordering the central commercial area, north of Santa Fe Railroad and includes a mix of residential densities, substandard lots and units and some non-conforming commercial structures.

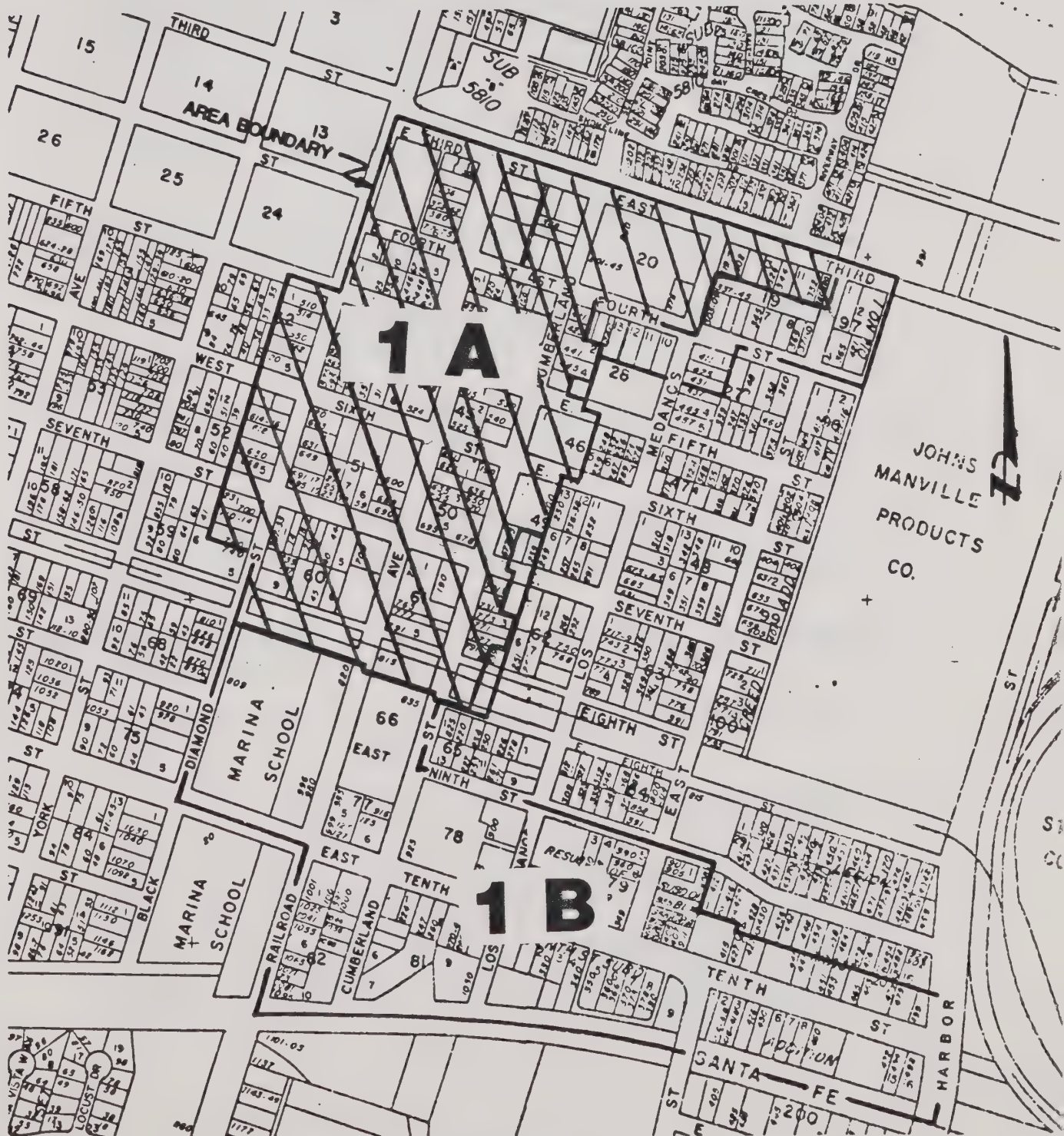
Area III: Encompasses the residential neighborhood north of Saint Peter Martyr School, west of Montezuma Street, on either side of Linda Vista Avenue and Odessa Street.

Area IV: Encompasses the redevelopment lands north of W. Fifth Street and E. Third Street. This area is planned for residential and commercial development and includes Marina View Apartments, Bay Harbor Park Townhouses and the Marina Commercial Building.

2.1 SPECIFIC PLAN FOR AREA I

Area I is a subarea within the Specific Plan Boundary which includes all the downtown commercial area generally on either side of Railroad Avenue, from E. Third Street south to E. Tenth Street.

Area I has been divided into Area IA which includes the lands within the Historic District and Design Review Area (see Plate 8) and Area IB which includes all other commercial lands.



DOWNTOWN SPECIFIC PLAN

AREA I - CENTRAL COMMERCIAL AREA

2.2 GENERAL DEVELOPMENT POLICIES

- A. The specific plan shall regulate development for lands in the downtown commercial area (Area I). The standards in the Specific Plan will supercede the existing provisions of the Municipal Code, Title 18, Zoning. Applicants requesting departure from the standards shall identify the variance upon submission of plans for development, presented to and acted upon by the appropriate decision making body.
- B. All uses identified in this Specific Plan must be consistent with the intent of the General Plan.
- C. There are incentives and strong encouragement for the preservation of historically significant structures within the area.
- D. Provisions will be made to make available sufficient off street parking facilities to support the Central Business District.
- E. Continuation of the street beautification efforts made by the City will be encouraged throughout the Central Business District.
- F. Exterior design elements will be oriented to pedestrians as well as vehicular traffic in the commercial area, especially within the historically significant areas.

2.3 LAND USE: PERMITTED USES, CONDITIONAL USES, PROHIBITED USES AND CONDITIONS TO USE

- A. Permitted Uses in Area I, with Central Business District Permit (Section 7.3).
 - 1. Retail sales establishments conducted entirely within a building, including antique stores, art supplies, bookstores, camera stores, carpet and floor covering sales, clothing and accessory sales, department stores, drug stores, dry goods, electrical appliances, fabric stores, florist shops, furniture stores, gift stores, hardware, hobby shops, household appliances, jewelry stores, luggage stores, music stores, plant stores, radio and television sales, tobacco stores, toy stores and variety stores.

2. Personal service establishments including animal grooming, barbershops, beauty shops, dressmakers, dry cleaning, furniture repair, health or fitness clubs, laundromats, locksmiths, picture framing, sewing and tailor shops, shoe repair, studios for instruction in art, arts and crafts, dance, martial arts, music, photography and occupation skills.
 3. Professional and administrative offices, banks, financial institutions, medical and dental offices.
 4. Food sales and services including restaurants with incidental sale of alcoholic beverages, food stores, bakeries, confectionaires, delicatessens, ice cream, produce, supermarkets, outdoor markets.
 5. Hotels, motels, rooming and boarding houses, residential uses located on the second floor or above commercial uses.
 6. Production processing, repair and sales of perishable and small durable goods conducted within a building, such as trophy repair, catering, sail making, boat cover making, home appliance repair, TV and radio repair, printing shops and bicycle repair, newspaper publishing, photofinishing and upholstery of furniture.
 7. Museums, art studios, clubhouses for non profit organizations, churches, theatres and public institutional use.
 8. Public or private parking lots for automobiles.
 9. Child day care facilities.
- B. Uses permitted everywhere in Area I with a use permit issued by the Planning Commission:
1. Second hand sales.
 2. Research and development facilities or institutions not involving hazardous, explosive and toxic materials.

3. Retail sales and service of non-perishable, durable goods such as building materials, plumbing supplies, garden and patio equipment, boats and boating supplies. For such uses, outdoor display is discouraged and outdoor service or repair is prohibited.

4. Animal hospitals, veterinary clinics, kennels.

5. Mortuaries.

C. The following uses are not permitted within Area IA (the Historical District or Design Review Area north of E. 8th Street):

1. Automobile repair shops, motor vehicle radio and stereo installation, tire sales, repair and mounting, auto body repairing and painting, used car sales, new car sales, motorcycle repair and sales, automobile service stations, car washes.

2. Commercial places of amusement and recreation, including video game centers, arcades, bowling alleys, billiard parlors, skating rinks.

3. Drive in restaurants, photo agencies or other drive in sales establishments.

4. Automobile, boat or other recreational vehicle upholstery repair.

5. High density residential uses at densities from 17.4 to 24.0 du/net acre.

6. Ornamental metal work and welding shops where items are produced or repaired to customers order and items are stored within a building or screened from view.

7. Laundromats.

D. The following uses are not permitted within the Specific Plan Area:

1. Bars, lounges or other sales of alcoholic beverages for consumption on the premises not in connection with a restaurant, as defined by the Alcoholic Beverage Control Act, and retail sales of alcoholic beverages for consumption off the premises where sold.

2. Cardrooms defined as any room, enclosure, or space with or without one (1) or more tables, which room, enclosure, space or table is used or is intended to be used for the playing of cards and similar games, the use of which room, enclosure, space or table is available to the public or to any portion of the public not including bingo games for non-profit organizations.

3. Massage parlors, public or private spaces or facilities providing the service of steam baths, tub baths, sun baths, Russian, Swedish or Turkish baths, or any other bath or similar treatment wherein the patient is treated or assisted by an attendant; the service of giving massages, fomentations, electric or magnetic treatment or rubdowns.

4. Adult bookstores, adult amusement centers, adult motion picture theatres, defined as facilities whose primary purpose is presenting films or carrying materials for adult audiences only.

5. Mobile homes, medium or low density residential uses with 17.4 dwelling units or fewer to the net acre.

6. Storage or warehousing unrelated or not accessory to a retail or service establishment on the same site.

2.4 DEVELOPMENT STANDARDS FOR ALL USES ALLOWED OR PERMITTED FOR AREA I

1. There shall be no minimum lot area, yards, width, frontage or depth except that flag lots shall not be permitted and that off street parking lots not accessory to a principle use shall have a minimum lot area of 2,300 square feet with minimum width of 46 feet and depth of 50 feet.

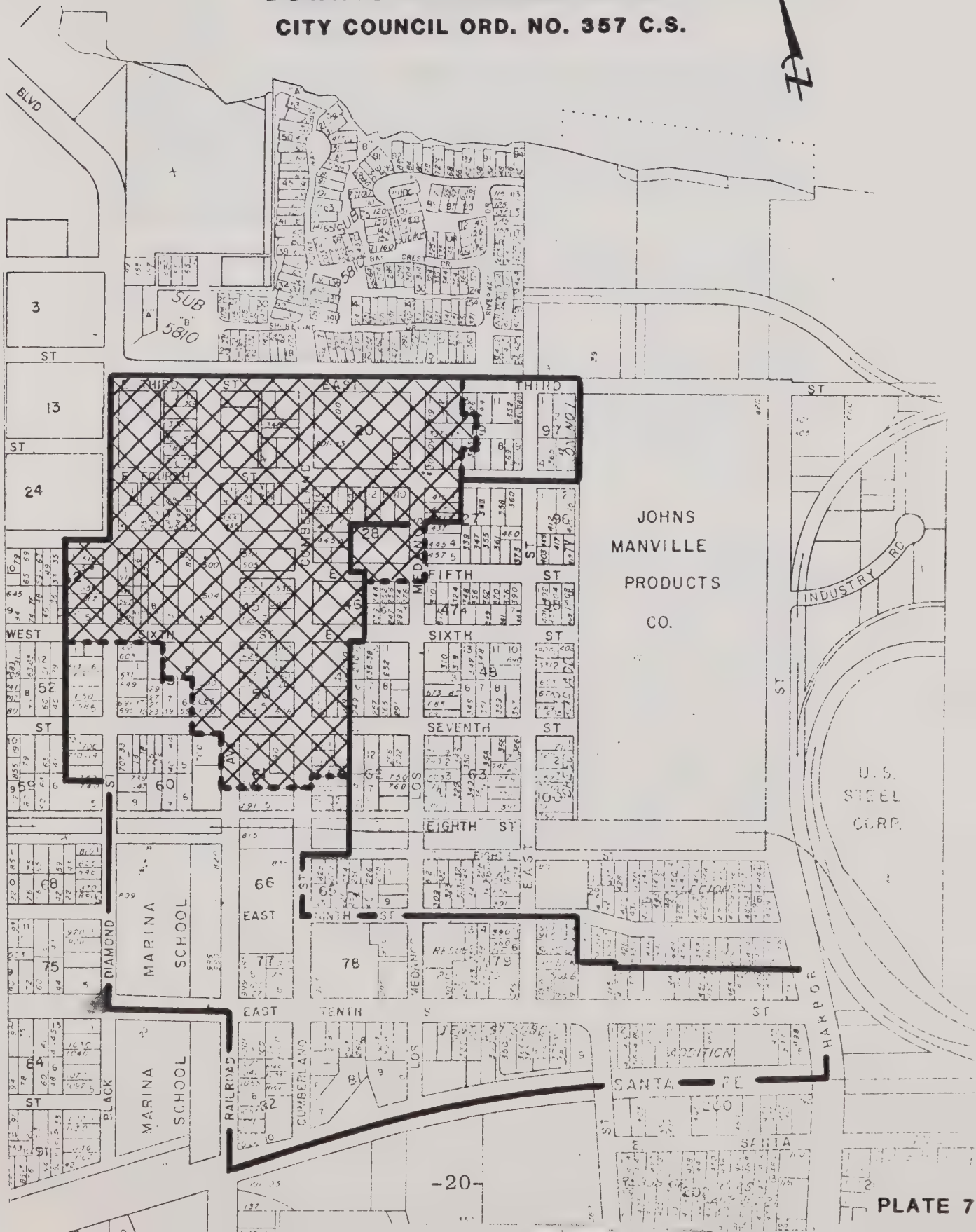
2. The minimum lot area for high density residential development permitted in Section C.5 shall be 12,000 square feet with a minimum lot width of 75 feet and minimum lot depth shall be 100 feet.

3. Where commercial development is proposed adjacent to residential areas the following yard setbacks shall be maintained on the side of the property that abuts the residential zone:

DOWNTOWN SPECIFIC PLAN

AREA I - CENTRAL COMMERCIAL AREA

DOWNTOWN PARKING DISTRICT CITY COUNCIL ORD. NO. 357 C.S.



Front yard: Determined by averaging the front yard setbacks on each lot fronting the street in that block no greater than fifteen (15) feet or less than five (5) feet from the property line.

Side yard: Five (5) feet.

Rear yard: Five (5) feet.

Accessory buildings: All accessory buildings either wholly or partially to the front side of the main building shall have the same front and side yards as required for the main building. All accessory buildings located to the rear of the main building shall maintain the same side and rear yard as for main buildings.

4. The maximum building height allowed is 60 feet for main buildings and 12 feet for accessory buildings.

5. High density residential concept designs on lots of 22,000 square feet or greater may propose project specific standards using the above development standards as a guide, however, provision of all resident amenities must be incorporated into the site plan, elevations and landscape for architectural review.

6. The maximum density of dwelling units allowed is determined by dividing the amount of total contiguous lot area by 1,815 square feet. Where the calculation results in a fraction of a unit, the fraction may be rounded off to the next highest whole number if the fraction is equal to or greater than 0.50. A density bonus may be granted for projects providing housing for handicapped persons or senior citizens of low and moderate income consistent with General Plan policy. Other density bonuses may be granted if the Planning Commission can make certain findings in their architectural review of the project regarding off street parking, unit design, landscaping, private outdoor living space, proximity to transit facilities or other site and design amenities.

7. The minimum number of off street parking spaces provided shall be as follows:

- a. In the downtown parking district described in Ordinance No. 357, (Plate 7), there shall be no off-street parking required and requirements for properties within the district will be reviewed in 1987 upon payment of the district but in no case will requirements be imposed that are more restrictive than elsewhere in the City.
- b. Retail sales establishments conducted within a building: one (1) parking space for each 200 square feet of rentable floor area including storage space.
- c. Bulk retail sales establishments including furniture stores, carpet and flooring stores, large appliances: one (1) parking space for each 500 square feet.
- d. Offices, laboratories and financial institutions: one (1) parking space for each 300 square feet of rentable floor area.
- e. Eating establishments: one (1) parking space for each six (6) permanent seats and one (1) space for each 75 square feet of floor area available for portable seats and tables.
- f. Places of public assembly, theatres, churches, museums: one (1) parking space for each six (6) fixed seats or six (6) persons, for the buildings, if there are no fixed seats as determined by the total occupant load of the building.
- g. Hotels, motels, rooming or boarding houses and residential hotels: four (4) spaces per five (5) rooms, plus parking for ancillary retail or restaurant use.
- h. Amusement centers: one (1) space for each 75 square feet of rental floor space.
-Roller skating rinks: one (1) space for each 150 square feet of rentable floor area.
-Bowling alleys: six (6) spaces per lane.
In addition to the above, additional parking for any ancillary retail or restaurant use.

- i. Drive in, take out, self service eating establishments: one (1) parking space for each 50 square feet of floor area, including all area under eaves, but in no event shall there be less than five (5) off street parking spaces. In the event interior (walk in) and exterior services are provided, the quantity of parking spaces shall be determined by the amount of floor area occupied by each type of service.
 - j. Gasoline service stations and motor vehicle repair: two (2) spaces for each service bay or open space designed for servicing and repair.
 - k. Automobile sales facilities and ancillary service: one (1) space for each 500 square feet of gross floor area, including all service areas within buildings.
 - l. Small production, equipment repair, metal work and welding shops: one (1) space for each 800 square feet of gross floor area.
 - m. Personal service establishments, athletic clubs, instruction in dance, music, vocal and occupational skills and similar uses: one (1) space per 450 square feet of rentable floor area.
 - n. High density residential: one (1) covered space for each dwelling unit plus one-half (1/2) space for each one bedroom unit and one (1) space for each unit having two or more bedrooms.
8. Off street parking, general foregoing provisions. In the planning and construction of ancillary off street parking facilities, the following regulations in addition to the foregoing provisions shall apply.
- a. In lieu fees. Where it is not desirable or possible to provide on site parking, the City Council may permit the parking requirements of this section to be satisfied by the payment of a fee in lieu of actually providing the parking spaces. The amount of the fee shall be calculated by estimating the cost of the land, pavement, lighting, striping, landscaping and any improvement costs at the site of parking

facilities (as established by the parking plan) on the basis of three-hundred-twenty-five (325) square feet per parking space and multiplying eighty percent (80%) of said estimated cost by the number of parking spaces being provided through in lieu fees.

In lieu fees shall be used exclusively for the acquisition of land for parking facilities or the improvement of land for parking facilities.

b. Mixed uses. The quantity of off street parking spaces required for the various uses set forth in this section is deemed to be a minimum quantity of off street parking for most uses and businesses which fall within the various categories. In the event one parcel of land or contiguous parcels of land are developed under a comprehensive plan, the off street parking requirements shall be the sum of the requirements of the various uses computed separately as specified in this section. The off street parking for one use shall not be considered as providing the required off street parking for any other use, except that the Planning Commission may modify these required quantities for large scale development by the granting of a use permit if either of the following conditions is found to exist.

i. The uses are such that the hours of operation are different for various portions of the business, and the building or buildings within said large scale development for which the parking has been reduced is designed in such a manner it requires a building permit to be converted to accommodate another use;

ii. Public transportation facilities are convenient and it can be expected that a significant quantity of people will arrive and depart by using such transportation facilities rather than using private automobiles.

c. Access to parking lots. All parking lots shall be connected to the adjacent public street or approved private street with a driveway not less than twelve (12) feet wide. If the parking

lot contains ten (10) or more spaces and is located one hundred (100) or more feet from the adjacent street and the driveway must be used for two way traffic, the width shall be not less than twenty-two (22) feet. All access drives shall be paved in the same manner as required herein for off street parking lots.

d. Location. The off street parking as required by this section shall be on the same lot, or on contiguous properties under the same ownership as the building or use to which the parking is accessory, except when it is deemed desirable by the Planning Commission, the parking lot may be located on real property which is within a reasonable distance of the premises upon which the building or uses to which the parking is accessory is located, and under the same ownership as the building or use to which the parking is accessory.

9. The maximum amount of lot coverage by buildings is 80%. The Planning Commission or Historical Resources Commission may make an exception where landscaping or garden space is designed as part of the structure.

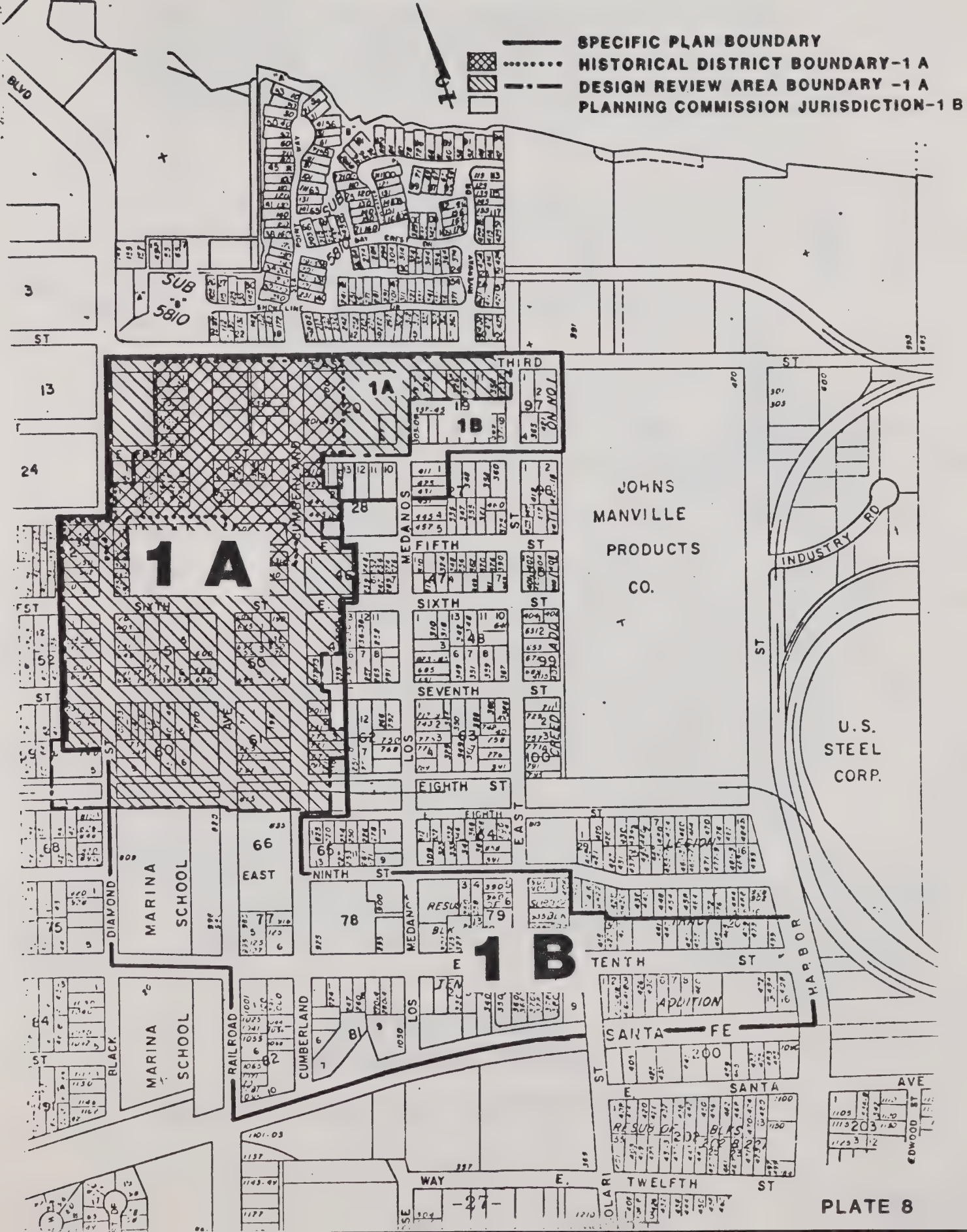
2.5 HISTORIC PRESERVATION

A. The New York Landing Historical District, Section 15.84 of the Pittsburg Municipal Code is hereby referenced and the requirement made part of this Specific Plan. (Plate 8).

**DOWNTOWN
SPECIFIC PLAN**

AREA 1 - CENTRAL COMMERCIAL AREA

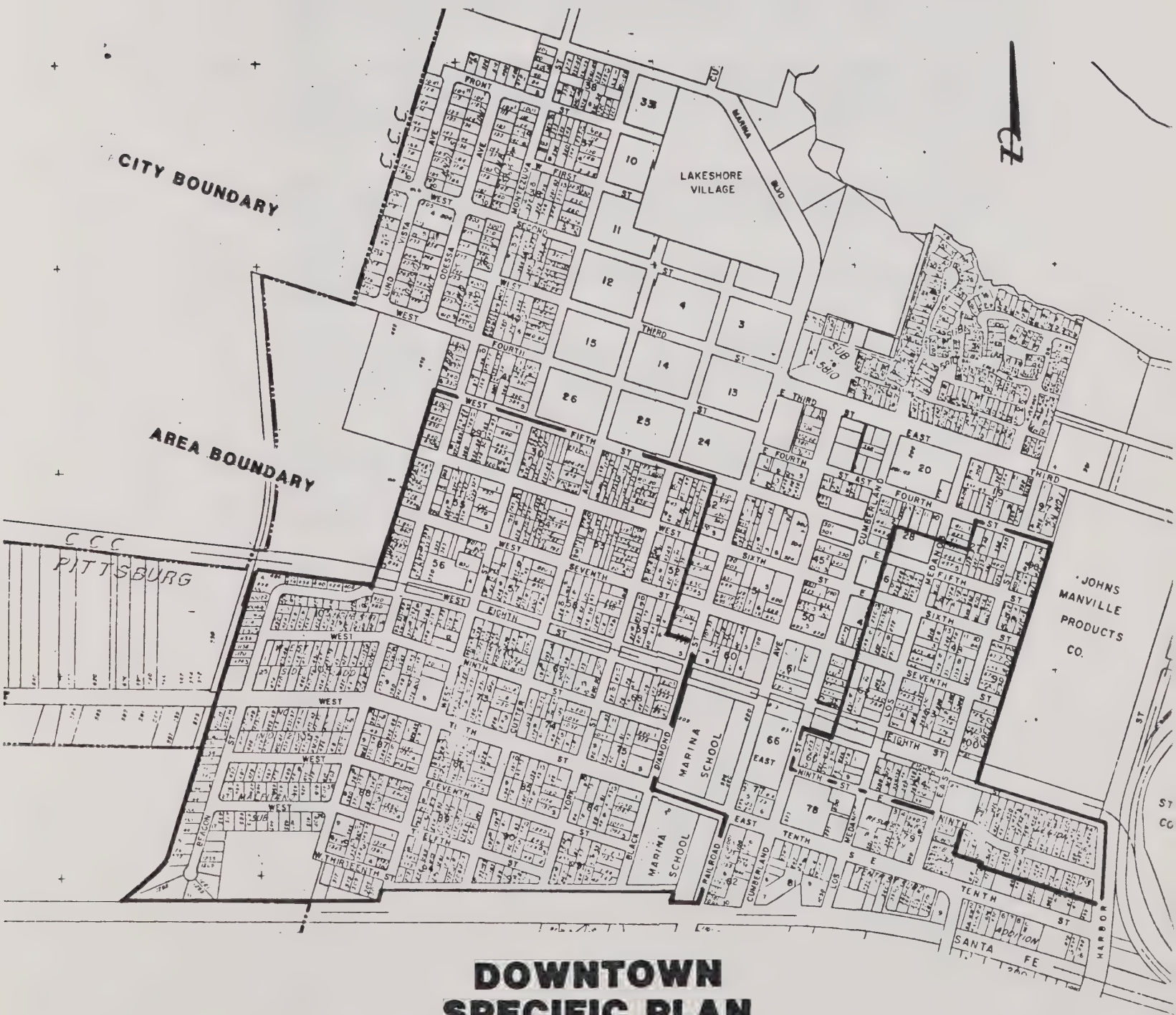
**HISTORICAL DISTRICT
and
DESIGN REVIEW AREA**



CHAPTER 3. DOWNTOWN RESIDENTIAL AREA - AREA II

3.1 BOUNDARIES OF DOWNTOWN RESIDENTIAL AREA - AREA II

Area II within the Specific Plan boundary includes the residentially zoned and developed lands in the downtown area, generally located north of the Santa Fe Railroad, east and west of the commercial area along Railroad Avenue as indicated on the map below.



DOWNTOWN SPECIFIC PLAN

AREA II - DOWNTOWN RESIDENTIAL AREA

3.2 GENERAL DEVELOPMENT POLICIES

- A. The Specific Plan shall regulate development for residential lands in the downtown area, Area II. The standards of the Specific Plan will supercede the existing provisions of the Municipal Code, Title 18, Zoning. Applicants requesting departure from the standards shall identify those standards to be varied upon submission of plans for development and to be acted upon by the appropriate decision making bodies.
- B. All residential neighborhood densities identified in the Specific Plan shall be consistent with the densities indicated on the Land Use Element of the General Plan.
- C. New residential development should be encouraged to use flexibility in design and layout through the use of incentives.
- D. A range of housing densities and types will be promoted.
- E. Provisions and incentives for private open space and off street parking will counteract the effects of urban congestion and monotony.
- F. Assemblage of substandard lots will be encouraged by allowing density transfer to adjacent lots.
- G. Quality residential rehabilitation will be encouraged.

3.3 LAND USE

A. Permitted Uses.

- 1. Low Density Residential, consistent with the General Plan, includes development with a maximum density of 6.9 dwelling units/net acre or one unit for each 14,519 square feet to 6,225 square feet.
- 2. Accessory buildings or structures allowed include garages, carports, equipment and storage sheds, laundry rooms and trash enclosures.

B. Uses Permitted Subject to Use Permit Approval
by the Planning Commission:

1. Medium Density Residential, consistent with the General Plan, includes developments with a density range of 7.0 to 17.5 dwelling units/net acre or one unit for each 2,489 square feet to 6,224 square feet minimum lot area.

Housing types permitted include attached and detached single family homes, rental apartments, patio homes, townhouses, condominiums, dwelling clusters and manufactured homes.

2. Neighborhood Commercial uses that occupy existing commercial buildings. New neighborhood commercial uses are permitted only to occupy or replace abandoned business locations or the existing business. Neighborhood commercial uses are defined as a business that intends to provide services to adjacent residential neighborhoods such as a small grocery store, small retail bakery, coin operated laundry, shoe repair, tailor, beauty or barbershop and the use is located in a structure originally built to house a business use and has not been altered to a non-business use.

3. Churches, schools, parks, playgrounds, public utility and quasi public buildings, structures and uses.

4. Private off street covered parking structures to serve neighborhood residences. Uncovered parking may be considered between parking structures or behind the structures. Uncovered parking should not be visible from the street nor be allowed to back onto the street.

3.4 DEVELOPMENT STANDARDS

1. The minimum building site area allowed is 5,000 square feet.

2. For Medium Density properties, the number of dwelling units is determined by the amount of total contiguous lot area by 2,500 square feet (ie, 7,500 square feet of lot area divided by 2,500 square feet per unit = 3 units). Where the calculation results in a fraction of a unit the fraction may be rounded

off to the next highest whole number if the fraction is equal to or greater than 0.50 and the Planning Commission can make certain findings in their architectural review of the project regarding off street parking, unit design, landscaping, private outdoor living space or other site and design amenities.

3. The minimum number of off street covered parking spaces provided is to be one (1) for each dwelling unit. The number of additional off street uncovered parking spaces is to be one-half (1/2) space for each one bedroom unit and one (1) space for each unit having two or more bedrooms.

Where a fraction of a parking space results from the off street parking calculation, the fraction must be rounded off to the next greater whole number when the fraction is equal to or greater than 0.50.

4. Each single family dwelling unit is to have a minimum of 850 square feet of building area excluding off street parking. Duplex and multiple units are to have a minimum of 750 square feet exclusive of off street parking area.

5. The maximum amount of lot coverage by buildings is 60%.

6. The minimum yard setbacks are as follows:

a. Front Yard: Twenty (20) feet from property line, except second story living space may be reduced to fifteen (15) feet. If covered off street parking is located to the side or rear of the lot, the front yard may be reduced to ten (10) feet and five (5) feet for upper floors.

b. Side Yard for Interior Lots and Rear Yards: Five (5) feet from property line for main and accessory buildings or structures.

c. Street Side Yard of a Corner Lot: Ten (10) feet from the property line for main and accessory buildings except for garages and carports which shall be twenty (20) feet.

d. Accessory Buildings: All accessory buildings attached to the main buildings shall maintain the same side and rear yards for main buildings.

All detached accessory buildings shall be a minimum distance of six (6) feet from any other structure and shall be located in the rear half of the lot. Detached structures may be located six (6) inches from the side and rear yard, provided that they do not exceed twelve (12) feet in height. All detached accessory buildings higher than twelve (12) feet shall maintain the same side and rear yards as the main structure.

7. The maximum building height allowed is thirty-six (36) feet for main buildings and twenty-four (24) feet for accessory buildings.

8. Dwelling cluster, townhouse or patio home concept design may propose project specific standards using the above development standards as a guide, however, provision of all resident amenities must be incorporated into the site plan for architectural review.

CHAPTER 4 BAYSIDE KNOLLS - AREA III

4.1 SPECIFIC PLAN FOR AREA III

Area III is a subarea within the Specific Plan Boundary which includes the two block residential area bordered to the south by St. Peter Martyr, to the west by PG&E, to the north by the former Montezuma Sewer Treatment Plant along Linda Vista Avenue and Odessa Avenue.



DOWNTOWN SPECIFIC PLAN BAYSIDE KNOLLS - AREA III

4.2 GENERAL DEVELOPMENT POLICIES

1. Additional studies shall be made to establish standards to preserve the integrity and historical value of the neighborhood.
2. Provisions shall be made to insure waterfront access from this neighborhood.

4.3 LAND USE

A. Uses Permitted.

1. Low Density Residential with a maximum density of 7.0 du/net acre or one unit for each 14,519 square feet to 6,225 square feet.
2. Accessory buildings and uses incidental to single family residences. Not to be construed as permitting commercial uses or storage of commercial vehicles.

B. Uses Permitted Subject to Approval of a Use Permit.

1. Churches, schools, parks, playgrounds, public utility and quasi-public structures.
2. Music, elocution, dancing and similar type lessons given in the home of the teacher.

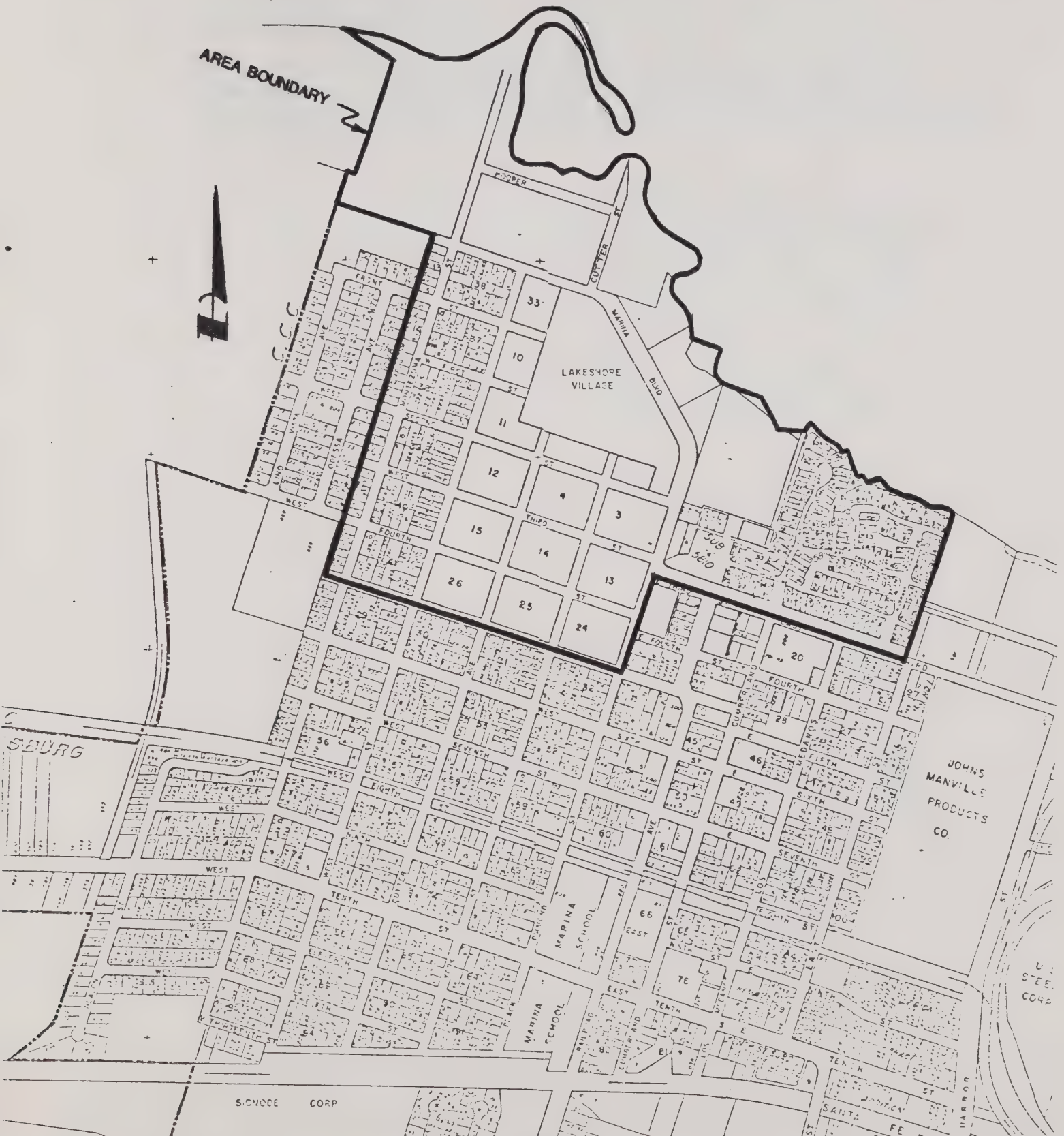
4.4 DEVELOPMENT STANDARDS

Properties shall follow the standards set forth in the Pittsburgh Municipal Code, Title 18, Chapter 18.20, R-1 District.

CHAPTER 5 REDEVELOPMENT AREA - AREA IV

5.1 BOUNDARIES FOR AREA IV

Area IV is a subarea within the Specific Plan boundary which includes all the lands north of W. Fifth Street and E. Third Street as indicated on the map below.



DOWNTOWN SPECIFIC PLAN
REDEVELOPMENT AREA - AREA IV

5.2 DEVELOPMENT STANDARDS

Properties within Area IV shall be zoned P-C (Planned Community) and upon adoption of development plans the standards imposed by the City Council shall be incorporated by reference.

6.0 GENERAL REQUIREMENTS FOR THE DOWNTOWN SPECIFIC PLAN

The following provisions are applicable to all properties within the Specific Plan boundaries.

6.1 ARCHITECTURAL REVIEW CRITERIA

A. General Intent.

1. The Design Criteria Code of the Historical Resources Commission adopted by Resolution No. 81-6631 is hereby referenced and made a part of this Specific Plan. The design review area where the resolution applies, is considered a special design district.
2. There is no overall downtown design theme reflected in the existing commercial buildings, except within the New York Landing Historical District, consequently one need not be imposed.
3. New commercial, residential or mixed use development proposals are not necessarily required to match surrounding existing developments or buildings. However, designs of new structures shall complement existing structures.
4. The City will assure a minimum level of design standards through the application of consistent policies. Approval will be given for projects that meet or exceed the minimum level.

B. Site Design.

1. Buildings shall be designed and sited to avoid crowding and to allow a functional use of the space between buildings and to provide a functional relationship to the site. In residential areas, required side and rear yards should be utilized and integrated into the overall site spatial arrangement. Examples of design aspects to be avoided are street exposed trash enclosures, exposed open storage areas and outdoor spaces which tend to gather trash, etc.

2. Site layout shall consider shadows, changing climatic conditions, noise, safety and privacy on site as on adjacent property's indoor and outdoor spaces.
3. New construction design shall relate building bulk and height to the streetscape and proximity to property lines.
4. Separate vehicular and pedestrian circulation systems shall be provided in all new construction. Access to buildings should be distinct from the vehicular driveways and pavement areas.
5. Where parking areas are located on adjacent lots common driveways shall be encouraged to minimize the number of entrances and exits to the street. A barrier may be necessary to reduce the impact of vehicle noise and headlights on adjacent properties. The City reserves the right to mandate barriers on a case by case basis.
6. Site design shall maximize solar orientation and overall energy efficiency.
7. Transitional buffering shall be provided along property lines where commercial uses are proposed adjacent to residential uses or multiple family residential uses are proposed adjacent to single family residential uses.
8. Private and common usable open space shall be provided in multiple family residential projects. Private open space for each dwelling shall be directly accessible from the unit and large enough to afford outdoor living opportunities. The location of common open space areas should take into account prevailing winds and sun orientation. The common area should be easily accessed from all buildings yet discourage intrusion from the passing public at the street.
9. Off street parking facilities for multiple dwellings shall be located to the rear or sides of sites where feasible. The best alternative is to locate parking to the side in longitudinal lot patterns, though screened from view by landscaping or the dwellings. Street frontages should be devoted to building architecture and landscaping.

C. Landscape Design (Standards Shall Exclude Single Family and Duplex Residential Uses).

1. All site development shall include landscaping.
2. Landscape plans shall exhibit a concept utilizing plant materials in a logical, orderly manner which would define spatial organization, relate to buildings and structures and incorporate all site elements.
3. There shall be a consistency of landscape design throughout a development. Unrelated or random choice or placement of plant materials shall be avoided.
4. Landscape materials shall not be used to screen out otherwise unacceptable buildings. Building architecture shall stand on its own with landscaping integrated with overall project design.
5. The full variety of site elements will be incorporated into the landscape plans. Outdoor lighting, signing, trash enclosures, fencing, etc., shall be carefully considered as integral elements of the landscape design and are to be included in, and shown on, all landscape plans.
6. The scale and nature of landscape materials shall be appropriate to the particular commercial building site. Large buildings shall be complemented by large scale landscaping.
7. Street trees shall be planted along the frontage though not necessarily in front of each building nor evenly spaced. Trees shall be 15 gallon size, 1" or larger caliper and match existing trees, and shall be of a type which requires a minimum amount of maintenance.
8. Loose groupings of plant materials are favored over more rigid equal spacing of plants and trees. The goal is to group and arrange plants and hard materials to provide strong accent points.
9. Solar accessibility and utility shall be a determinant of landscape design. Dense and tall planting along the north side of the buildings is to be avoided. Deciduous trees on the southerly sides of buildings can reduce overall energy consumption and will be encouraged.

10. A variety of plant container sizes is encouraged. Generally plants shall be sized to achieve a mature appearance within three (3) years of installation. The use of specimen trees is encouraged. Minimum sizes: shrubs 1-5 gallon, trees 15 gallon, 1" caliper or larger.

11. All off street parking areas shall be landscaped.

12. Irrigation shall be required for all planted areas. Automatic underground systems are encouraged. Care should be taken to assure that systems do not overspray walks, buildings, fences, etc.

13. Landscape elements such as benches, seats, water staging or standing areas and other furniture items shall compliment street furniture used in the Historical District where sites are located near or adjacent to the New York Landing Historic District and Railroad Avenue beautification.

14. Mature, existing landscape elements shall be incorporated into landscape plans.

15. Landscape features incorporated into building design is encouraged.

16. Generally, a limited palette of landscape materials is suggested. The use of indigenous or native plant materials is encouraged, exotic or "foreign" materials is discouraged.

17. Care should be exercised when utilizing "urban" or "hard" materials. Integration of these materials with live plant materials is encouraged. Expanses of hard materials is discouraged.

D. Off Street Parking Design.

1. The following elements shall be contained in all commercial and residential off street parking areas.

a. Paving to City standards.

b. Concrete curbing around all landscaped areas for protection and containment.

c. Striping to City standards and wheel stops.

d. Handicap parking spaces as required by the Building Division, including provision of ramps to provide access to the building and identification.

e. Up to 50% of the required number may be compact parking spaces.

2. Parking in the frontyard setback should be discouraged and at best, minimized, except where private driveways enter a single dwelling unit's covered space.

3. Driveway locations shall be approved by the Engineering Division and shall be located away from intersections and driveways or other lots. The following elements shall be included to minimize glare, reflection and visual impacts.

a. Peripheral landscaping generally shall not be less than five (5) feet in width and shall include trees, shrubs and ground cover. In no instance will the peripheral strip be less than three (3) feet, unless the Planning Commission finds that special circumstances regarding backing space and general vehicular/pedestrian maneuverability would be substantially hindered if three feet were maintained.

b. Planting areas should be interspersed with paving to allow for the percolation of water into the ground.

c. Tree cover to shade pavement and open parking areas is encouraged. Canopy type trees are recommended for maximum summer shade.

d. Landscape separation of parking areas and buildings is encouraged.

E. Fencing and Screening Design.

1. Exterior utility elements will be located at the rear of the building and should not have direct access from the street. In any case, trash and storage boxes, transformers, electric and gas meters shall be screened from view. The designer should coordinate the location of these elements with the appropriate utility company or franchise collection agency.

2. The design of fencing, trash enclosures and similar site elements should be compatible with building architectures using a similar material palette.

F. Exterior Lighting Design.

1. Exterior lighting, if any, shall be designed as a part of the architectural and landscape statement of a project. All lighting shall be directed down and not be allowed to reflect off of the site.

2. Fixture mounting height shall be appropriate to the project and the environment. Care should be taken to protect lights from vandalism, yet enhance the scale and atmosphere of the project. Lighting shall not exceed a maximum of 20 feet with lower mounting heights encouraged. Pedestrian lighting should be 3-4 feet in mounting height with maximum of eight (8) feet.

3. Fixture style shall compliment the building design and blend rather than be obtrusive.

4. Consideration shall be given to complimenting the design and style of street lighting fixtures in areas near or adjacent to the New York Landing Historical District.

G. Architecture of Buildings in the Downtown Area

1. The overall design shall be one of architectural consistency between all building elevations including a consistent use of colors, materials and detailing.

2. Mechanical equipment on roof tops shall not be visible. Minimize roof penetration by grouping all units, ducts, and pumps together. Its design and screening shall be incorporated into the building design. The screening device, if used, should be compatible with and an integral element of, the building structure. Location of such equipment within the building or at ground level is preferable to roof mounting.

3. All proposed buildings shall be compatible with the developing character of the downtown Central Business District and neighborhood character. Design, however, need not be constrained or limited by the architecture of structures in the immediate vicinity.

In residential neighborhoods with a predominance of buildings with pitched roofs, landscaped front yards and wood siding, new development generally should respect those basic elements, and generally should not include buildings with flat roofs, metal or glass front walls and little or no front yard setback or covered with hard surfacing.

4. Parapet walls shall be designed as an integral part of the building and not appear as unrelated elements in the building elevation. Simulated mansard roofs screening parapet walls are discouraged in favor of more genuine and straightforward roof treatments.

5. Structures on the same site shall have strong architectural and spatial relationships. Multiple buildings should be oriented toward a common, central space wherever possible.

6. Human scale shall be achieved by incorporating wall insets, balconies and window projections as a part of larger building design. The building occupant should be able to experience outdoor as well as indoor space, where the site affords these possibilities.

7. Building entries shall be clearly defined and protected from the elements. Recessed walls, trellises and roof overhangs, etc., are suggested as an integral part of building design.

8. Generally, colors of buildings shall be subdued and not garish. Coordinated coloring of concrete, stucco and similar materials are encouraged. Color changes should relate to differences in materials and surface planes. Colors shall be compatible with the neighborhood and shall reinforce the visual character of the environment of the proposed building.

9. Building material selection may be broad. Use of reflective glass is discouraged. Artificial surface textures should also be discouraged in favor of more traditional and natural materials and textures. Use of concrete, brick, stucco, woods, steel, etc., should be encouraged. New materials may be utilized where care is taken to blend and compliment the environment.

10. Building design shall respond to energy conservation. Solar panels should be designed as a part of the building and avoid the appearance of being an accessory device.

11. Where buildings will be removed from the site within one (1) year, the Planning Commission or Historical Resources Commission may find that less stringent standards are warranted because of the structure's temporary status.

12. In multiple family developments, the individual dwelling units generally should be architecturally expressed. This may increase the feeling of individual identity of each unit.

6.2 ZONING NON-CONFORMANCE

- A. Intent. Within the Specific Plan boundaries, there exists lots, structures and uses of land and structures which were lawful before the Specific Plan was adopted or were lawful prior to amendments in the Zoning Ordinance in recent years but which would be prohibited, regulated or restricted under the terms of this ordinance or future amendment.

It is the intent of this ordinance to permit the non-conformities to continue until they are removed but not to encourage their survival. Such uses are found by this ordinance to be incompatible with permitted uses within the areas involved. It is further the intent of this ordinance that non-conformities shall not be enlarged, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

- B. Non-Conforming Lots.

1. All lots which were created in conformity with laws regulating the subdivision of land, or which are owned by persons who have no interest (partial or whole) in adjacent lots at the time of March 4, 1972, or for which a certificate of compliance has been issued and which, because of width, depth or area inadequacies have become non-conforming, shall be deemed legal lots.

2. Non-conforming lots which are contiguous and owned by the same person may be merged under Sections 66.451.10--66.451.21 of the Government Code and the relevant provisions of the Pittsburgh Municipal Code.

C. Non-Conforming Structures. All existing non-conforming structures and accessory structures having yard setbacks or off street parking spaces which are too small or inadequate pursuant to this section, and/or the previous C-2 zoning, shall be legal structures and may be repaired or restored so long as the use therein conforms and the proposed repair or rehabilitation does not extend further into yard areas specified in these standards and, if the repair is attributed to damage by catastrophe, the structure must have been destroyed beyond 75% of the current market value, as shown on the latest adopted assessment roll.

D. Non-Conforming Uses.

1. The lawful use of the land existing at the time of the ordinance codified in this title, although such use does not conform to the regulations herein specified for the district in which such land is located, may be continued provided that no such use shall be enlarged or increased, nor be extended to occupy a greater area than that occupied by such use at the time of the adoption of the ordinance codified in this title, and that if any such use ceases, the subsequent use of such land shall be in conformity to the regulations specified by this title for the district in which such land is located.

2. Extension. The non-conforming use of a portion of a building may be extended throughout the building provided that in each case, a use permit shall first be obtained.

3. Change In Use. The non-conforming use of a building may be changed to a use of the same or more restricted nature provided that in each case, a use permit shall first be obtained.

4. Cessation-Abandonment Determination. If the non-conforming use of a building ceases for a continuous period of one (1) year, it shall be considered abandoned and shall thereafter be used only in accordance with the regulations for the district in which it is located.

E. Parking.

1. All existing structures, where the use conforms to those permitted and where the amount or arrangement of off street parking is insufficient, shall be considered to legally satisfy the parking standards. Changes in permitted uses are allowed without providing the required off street parking or reducing the non-conforming condition of off street parking.

2. Where additions to the existing non-conforming structures are proposed which increase the amount of rentable floor area, the required amount of off street parking shall be provided for the existing as well as the additional floor area.

F. Destruction or Restoration.

1. In any or all non-conforming circumstances, if a structure is destroyed to the extent of more than 75% if its actual current market value as shown on the latest adopted assessment roll, the structure and use shall be restored meeting all provisions of this Specific plan unless the owner agrees to demolish the remaining structure.

G. Maintenance & Repairs.

1. Ordinary maintenance and repair may be made to any non-conforming building providing no structural alterations are made and providing that such work does not exceed fifteen (15) percent of the reasonable market value in any one year period. Repairs exceeding fifteen (15) percent may be made if it can be shown that repairs are required for normal maintenance of the building. Other repairs or alterations may be permitted provided that a use permit shall first be secured in each case.

6.3 SIGNS

Signs within the Specific Plan Area are regulated by the comprehensive sign regulations in the Pittsburgh Municipal Code.

6.4 PROPERTY MAINTENANCE

A. General Intent.

1. The property values and the general welfare of this community are founded in part upon the appearance and maintenance of properties.

2. That it is desirous to enhance and promote the maintenance of property and the enhancement of the community's liveability, appearance and social and economic conditions.

3. That unless corrective measures are undertaken to alleviate existing abuses of property as described herein, and to particularly avoid future problems in this regard, the public health, safety and general welfare and specifically the property values and social and economic standards of this community will be depreciated.

4. That abatement of abuses to property as described herein will enhance the appearance and value of such properties rather than be a burden on the owners thereof and that abatement will appreciate properties and benefit the uses and enjoyment of properties in the general welfare and image of the City.

5. That the uses and abuses of property as described herein reasonably relate to the proper exercise of the police power in the protection of health, safety and welfare of the public, and that abatement procedures set forth in this chapter are reasonable and afford a maximum of due process and procedural guarantees.

B. General Provisions. No person owning, leasing, occupying or having charge or possession of any premises in the City shall maintain the premises in such a manner that any of the following conditions are found to exist thereon:

1. Buildings which are abandoned or boarded up, except when permission is obtained from the Community Development Department to board up the building and the following procedures are a minimum standard to be implemented.

a. All openings in the exterior walls of any vacant building shall be secured so as not to allow entry for unauthorized personnel in the following manner:

Material used for the purpose of temporarily securing a building shall be a minimum of 3/4 inch tongue and groove CDX plywood fastened to

the structure with either 3/8" long lag screws/ flat washers or 3/8" through bolts with flat washers. There shall be a fastener at each corner of the opening to be protected and every twelve inches thereafter around the perimeter of the opening. Where more than one 4' x 8' sheet of plywood is required to cover the opening, an additional framing member shall be added so that no space larger than four feet horizontally is unsupported. The fasteners on this intermediate member may be 18 inches on center.

b. The material shall be painted in such a manner as to be compatible with the rest of the building and shall be maintained so as not to become unsightly during the life of its use.

2. Buildings partially destroyed or left in a state of partial construction shall be in violation thirty (30) days after the disaster or expiration of the building permit. In the event of property transfer, the new owner shall have thirty (30) days from acquisition to comply.

3. Unpainted buildings causing dry rot, warping or termite infestation.

4. Broken windows constituting hazardous conditions or inviting trespassers and malicious mischief.

5. Overgrown vegetation causing detriment to neighboring properties or property values.

6. Dead trees, weeds and debris:

- a. Constituting unsightly appearance, or
- b. Dangerous to public safety and welfare, or
- c. Detrimental to nearby property or property values.

7. Trailers, campers, boats and other mobile equipment stored for unreasonable periods in front yard areas.

8. Inoperable or abandoned motor vehicles stored for unreasonable periods on the premises.

9. Attractive nuisances including but not limited to:
a. Abandoned and broken equipment,

- b. Hazardous pools, ponds and excavations, and
- c. Neglected machinery.

10. Broken or discarded furniture and household equipment in yard areas for unreasonable periods.

11. Clothes lines in front yard areas.

12. Garbage cans stored in front or side yards and visible from public streets.

13. Packing boxes and other debris stored in yards and visible from public streets for unreasonable periods.

14. Maintenance of premises in such condition as to be detrimental to the public health, safety or general welfare or in such manner as to constitute a public nuisance as defined by Civil Code Section 3489.

15. Graffiti on walls of buildings, fences or walls.

16. Property in violation of the Uniform Code for the Abatement of Dangerous Buildings.

C. Definition. Unreasonable Period. For the purposes of this code, unreasonable period shall be any period of time exceeding ten (10) days.

D. Abatement. The statutory authority of the City to abate nuisances and to record liens reflecting the costs of abatement are reflected in Government Code Sections 38771-et. seq. and in Chapter 1.24 of Title 1, Chapter 8.04 and Chapter 18.16 of Title 8 and Chapter 15.74 of Title 15 of the Pittsburgh Municipal Code.

Whenever the City's abatement action is based on Statutory authority, which allows lien amounts to be collected at the same time and manner as ordinary taxes, City Officials must specifically request the Auditor/Controller to add the amounts to the tax rolls for collection.

7.0 SPECIFIC PLAN ADMINISTRATION

This section has a two fold purpose. The first is to establish a process for the adoption of the Specific Plan and the subsequent amendments. The second is to develop a simplified mechanism for processing development proposals. The administration, implementation and enforcement of this Specific Plan will be accomplished by the Community Development Department.

7.1 ADOPTION

This Specific Plan for the downtown area will be adopted by ordinance. To the extent that this plan is in conflict with current ordinances in the subject area, this plan shall govern. The Historical Resources Commission shall review pertinent sections of the Specific Plan pertaining to the Historical District and Design Review Area (Plate 8) and shall make recommendations to the Planning Commission. The City Planning Commission will review in public hearing the proposed ordinance, make any amendments and recommend that the City Council adopt the Specific Plan Ordinance. The Council will review, amend and adopt in public hearing, the Specific Plan. The following is the summary of the adoption process.

A. Ten (10) days notice of public hearing by the Planning Commission, published in the Pittsburg Post Dispatch.

B. Planning Commission recommendation on the Environmental Document and Specific Plan to the City Council through resolution with a minimum affirmative vote of the majority of the total voting membership of the Commission (4).

C. Public hearing by the City Council with ten (10) days notice of public hearing published in the Post Dispatch.

D. Adoption by ordinance of the City Council. (Note that any changes by the Council in the recommended Specific Plan must be referred back to the Planning Commission for reconsideration and recommendation to the City Council per Section 66504 of the California Government Code, Title 7).

7.2 AMENDMENT

Future modifications or amendments to the Specific Plan must be done by ordinance and follow the same procedure outlined in 7.1 above. This Specific Plan should be reviewed a minimum of every five (5) years to determine its effectiveness and make necessary revisions, which are to be adopted as amendments by ordinance. In addition to these requirements, an amendment shall require notification of property owners within 300 feet of the boundaries of the area requested for or subject to amendment.

A. Application Requirements.

1. A Specific Plan map drawn to equivalent scale showing the revision.
2. A written outline substantiating the requested change.
3. A fee established by resolution of the City Council.
4. An environmental assessment of the proposal.
5. Other information as may be deemed necessary by the Community Development Director.

B. Findings. In considering any amendment to the Plan or its standards, the following findings shall be considered by the appropriate decision making body:

1. Changes in the community have occurred since the adoption of the Specific Plan warranting an amendment as requested.
2. The change will benefit the Specific Plan area.
3. The change is in conformance with the adopted General Plan.
4. The change will not adversely affect adjacent properties and can be properly serviced.
5. The physical constraints of the property are such that the change is warranted.

7.3 DEVELOPMENT PLANS-CENTRAL BUSINESS DISTRICT PERMIT

Upon adoption of the Specific Plan, the permitted uses of the plan shall determine the types of uses allowed in a

particular area. For all permitted uses within the Specific Plan area, a Central Business District Permit shall be approved by the Community Development Director.

A. Application for a Central Business District Permit shall be made on a written form prescribed by the Community Development Director and shall be accompanied by a site plan, including a landscape plan and signage plan necessary to show the details of the lot.

B. The plans shall be reviewed for consistency with the Specific Plan and standards contained therein and it shall be determined if review by the Historical Resources Commission or Planning Commission will be required.

C. Within thirty (30) working days, the Community Development Director shall either approve or deny the application. Approvals shall include the standard conditions of approval may include additional conditions necessary for conformance with the Specific Plan.

D. The decision of the Community Development Director may be appealed in writing to the Planning Commission or the Historical Resources Commission within five (5) working days. The decision of the either commission may be appealed to the City Council within five (5) working days after the Commission renders its decision.

7.4 USE PERMITS

Use permit applications shall be reviewed by the Planning Commission for all properties within the Specific Plan Area.

7.5 VARIANCES

Variance permit applications shall be reviewed and approved by the Planning Commission for all properties within the Specific Plan area.

7.6 ARCHITECTURAL/DESIGN REVIEW PERMITS

A. The Planning Commission or Historical Resources Commission shall review any development proposal to construct a building, structure or sign or alter the exterior features of any building, structure or sign structure except for minor improvements listed below.

B. Applications shall be made to the Historical Resources Commission for all properties within the Historical District and Design Review Area (Plate 5) following the procedures in Section 15.84.70 of the Municipal Code. Application for all other properties shall be made to the Planning Commission following procedures in Section 18.12.070 of the Municipal Code.

C. The commissions shall approve, approve with conditions or deny the permit on the basis of the application and its compliance with criteria listed in the Specific Plan and City Council Resolution No. 81-6631.

D. The applicant or others affected may appeal the decision of either commission by stating the reasons for such appeal in writing. Such appeal must be filed with the City Clerk within five (5) days after the decision. The appeal shall be placed on the next possible Council agenda for the final determination.

E. Permits for minor improvements may be considered and approved by the Community Development Director. Such improvements may include:

1. New planting or replacement of minor landscaping, landscaping features and street trees.
2. Minor improvements required as a condition to a Central Business District Permit.
3. Change of copy to an existing sign.
4. Fencing of properties consistent with height limitations.
5. Painting of buildings.
6. Construction of small storage areas or trash enclosures in the rear of the lot, not exceeding 200 square feet.
7. Construction or replacement of porches, stairs or doors not visible from the street.
8. Additions to residential structures in the rear of the lot providing that such additions maintain the same architectural style and materials of the existing structure.
9. Parking lot improvements which do not alter or modify an existing circulation pattern.

The decision of the Community Development Director may be appealed as outlined in Section 7.3.D.

7.7 LOT MERGERS

To the extent that the provisions of the Pittsburgh Municipal Code are not in conflict with this ordinance, each provision of the Pittsburgh Municipal Code shall apply.

A. A parcel of land may be merged with a contiguous parcel held by the same owner where one of the affected parcels does not conform to standards for minimum parcel size and other prerequisites specified in Government Code Section 66451.10 -- 66451.21 and the Pittsburgh Municipal Code are met.

7.8 SUBDIVISIONS

All processing of tentative and final maps will be in accordance with the Pittsburgh Municipal Code and the State Subdivision Map Act. All services will be required to be provided in an acceptable manner and will include compliance with, but not limited to, the following

A. Specific Plan elements.

B. Appropriate Specific Plan policies, guidelines and standards.

7.9 ENFORCEMENT OF STANDARDS AND REGULATIONS

To the extent that the provisions of the Pittsburgh Municipal Code are not in conflict with this ordinance, each provision of the Pittsburgh Municipal Code shall apply.

The violation of a provision of this ordinance is an infraction. Under Government Code Section 36900, a violation determined to be an infraction is punishable by (1) a fine not exceeding \$100 for a first violation; (2) a fine not exceeding \$200 for a second violation occurring within one year of the first violation; (3) a fine not exceeding \$500 for each additional violation occurring within one year of the first violation. Each day that a violation of this ordinance is committed or continues is a separate offense and is punishable as a distinct and separate offense.

7.10 APPLICATION FEES

The City Council shall adopt by resolution a special fee schedule to offset the cost of administering the Specific Plan. Specific Plan Amendments, architectural review, use permit and development plan applications shall be accompanied by the appropriate filing fees. Historical Resources application fees shall be prescribed in Resolution No. 81-661.

8.0 SPECIFIC PLAN ELEMENTS REQUIRING FURTHER DEVELOPMENT

The foregoing chapters establish provisions regarding the type, location and intensity of land uses to be permitted in the Downtown Specific Plan Area. These provisions accommodate future community needs and provide for an orderly transition from the existing or former uses to uses more conducive to the overall revitalization of the area.

There are, however, other considerations which must be taken into account in order to develop comprehensive strategies which will serve as the basis for guidance of future development. While general, City-wide policies are articulated in the General Plan, and, in some cases specific goals are set forth for the downtown area. More study needs to be done regarding the Natural Environment, Residential Environment, Economic Development and Public Services and Facilities. These categories correspond to the categories in the General Plan and encompass the requirements of Specific Plans in accordance with California Government Code Section _____.

The City Council will need to consider amendments to the Specific Plan in the enumerated areas in order to ultimately adopt a plan which is comprehensive in scope in addressing development needs in the downtown area. For each of the following areas, certain considerations for future study are set forth and which, following appropriate deliberation and adoption, will serve as more comprehensive guidelines for future growth and development in the Specific Plan Area.

Urban Development and Community Design

Redevelopment of the downtown area provides an opportunity to maximize the natural amenities of the location and its surroundings and the combination of these with a newly built or reconstructed environment which is inviting and unique to the area. Full consideration of these issues

can ensure that these opportunities are not lost and that decisions on land use, circulation and public facilities will produce a satisfying physical environment.

In general, the following goals should be considered in developing specific objectives and strategies in the Downtown Specific Plan Area:

1. The waterfront development should provide for physical access to the shoreline and for views of the delta.
2. The overall form, scale and appearance of the downtown development should compliment the natural and existing urban setting.
3. The downtown waterfront area should impact a positive impage to those who view and use the area.

Further study should establish whether community design standards as now contained in the General Plan are adequate, particularly in regard to residential areas and areas along main corridors such as Harbor Street, Tenth Street, Black Diamond and Railroad Avenue.

Natural Environment

Particular attention will need to be given to providing for open space as there are four (4) sites in the Specific Plan Area set aside for this purpose. In addition to the waterfront areas, (which are largely in a natural state outside of the marina), some consideration should be given to designating open space areas in the residential neighborhoods and the possibility of more muni urban parks such as La Plazita located across from the Post Office.

Residential Environment

The residential areas within the Specific Plan area will require more analysis in order to adequately address standards for future development. For example, a number of vacant lots occur throughout the Specific Plan Area. Most, if not all, of these lots are considered sub-standard and would not be appropriate for infill construction. Development of these lots could also hamper the process of lot consolidation to accommodate the need for larger lots for future development, the abandonment of existing street patterns for patterns more conducive to supporting new development, parking and circulation needs. Appropriate densities for new development should be considered in more detail for each residential area to assure compatibility of housing types, proper land utilization, and the avoidance of traffic and visual problems.

Economic Development

The relationship of commercial, industrial and residential uses in the Specific Plan Area need to be further addressed especially those areas where industrial uses abut existing residential uses. The retention of existing economic oriented land uses should be analyzed further to ensure the continuation of the tax and employment base without sacrificing compatibility with future development.

Public Services and Facilities

In some portions of the Specific Plan Area, utilities are undersized and in poor condition. The water, sewer and storm drainage facilities need to be upgraded to accommodate permitted uses.

The street system should be adequate to accommodate the needs of new land uses. The area suffers from poor vehicular access, inadequate street widths to accommodate private automobiles and public transit. There is a dearth of off and on street parking to accommodate existing and future uses. Truck and transit routes in the Specific Plan Area should be re-evaluated to ensure the most efficient circulation pattern and avoid impact on adjacent residential areas.

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